IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 29TH NOVEMBER 2006 / 8TH AGRAHAYANA 1928

Bail Appl..No. 6951 of 2006()

CMP.2311/2006 of J.M.F.C.-II, CHENGANNUR
CR 180/2006 of Chengannur Excise Range

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PETITIONER

SANTHOSH, S/O.VASAN,
AGED 23 YEARS, RESIDING AT VALLIYIL VEEDU,
ANGADICKAL MURI, CHENGANNUR VILLAGE,
CHENGANNUR TALUK.

BY ADV. SRI.P.GOPAKUMARAN NAIR
SRI.C.S.DIAS
SRI.AJITH MURALI

RESPONDENT:

STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 29/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application NO.6951 of 2006

Dated this the 29th day of November, 2006

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioner who is the second accused in Crime No.180 of 2006 of Chengannur Excise Range for offences punishable under Secs. 55(a) and 67(B) of the Abkari Act, for having been found in possession of 70 liters of spirit on 7.10.2006, seek his enlargement on bail.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor. The learned Public Prosecutor opposed the application.

3. I am not satisfied that both the grounds enumerated under Clause (b)(ii) of Sec. 41 A of the Abkari Act are present in this case so as to justify the release of the petitioner on bail.

This Application is accordingly dismissed.

V.RAMKUMAR,

JUDGE.

ess 29/11